

however, not present to-day either personally or through authorised representatives. A document has, however, been received in this office purporting to be a memorandum of settlement under Section 18(1) of the Industrial Disputes Act, 1947, between the parties and the same purports to have been signed by them and witnessed among others by the Labour Inspector, Yamuna Nagar. This document provides that the claimant Shri Kehar Singh will be paid forthwith a sum of Rs 1,700 in full and final settlement of his claim inclusive of bonus for the year 1966-67 and that he shall be deemed to have quitted the service of the management of his own accord. This settlement further provides that the present case pending with this Court shall be withdrawn. The absence of the parties before this Court to-day most probably is because of this settlement. As, however, the parties have not appeared before this Court to confirm the settlement, I would prefer to dismiss the claim of Shri Kehar Singh, claimant, in default of appearance and for want of prosecution. There will be no order as to costs.

This award is submitted to the Government of Haryana Department of Labour, as required under Section 15 of the Industrial Disputes Act, 1947.

CAMP: AMBALA CANTT:]
Dated : 23rd December, 1966.]

HANS RAJ GUPTA,
Presiding Officer,
Labour Court, Rohtak.

No. 1754-3Lab. 66/147.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding officer, Labour Court, Rohtak, in respect of the dispute between the workmen and management of M/S Universal Victory Bus Service (P) Limited Ambala City.

BEFORE SHRI HANS RAJ GUPTA, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 30 of 1966

between

**THE WORKMEN AND THE MANAGEMENT OF M/S UNIVERSAL VICTORY
BUS SERVICE (P) LIMITED, AMBALA CITY**

Present :—

Nemo, for the workmen.

Shri R. L. Gupta, on behalf of the management.

AWARD

An industrial dispute having arisen between the workmen and the management of M/s Universal Victory Bus Service (P) Limited, Ambala City, the Government by means of their Gazette notification No. 463-SF-3-Lab-1-66, dated 14th July, 1966 and in exercise of the powers conferred on them by Section 10(1)(c) of the Industrial Disputes Act, 1947, have referred to this Court for adjudication the matter mentioned below:—

Whether the action of the management in terminating the services of Shri Parma Nand, Inspector, is justified and in order? If not, to what relief the workman is entitled?

Usual notices were issued to the parties and in response thereto the workmen filed a statement of their claim and the management filed their written statement denying the claim of the workmen and the grounds on which it was based.

It was pleaded on behalf of the workmen that the claimant Shri Parma Nand was an old employee of the respondent company and his services were terminated by the management suddenly on 14th March, 1966, without any proper charge-sheet or enquiry. It was further pleaded that the claimant Shri Parma Nand has been victimized by the management. It was pleaded by the management that the claimant Shri Parma Nand is a share-holder of the respondent company. It was admitted that he was also employed as an Inspector in the company. It was pleaded that his activities as reported by the employees were not in the interest of the company and it was at the demand of the workmen as a class that he was removed from service. It was pleaded that as the claimant had been removed from service at the express demand of the workmen of the company, the present dispute was in fact a dispute between the claimant and the workmen of the company and was not a dispute between the workmen and the management of the company. It was, therefore, pleaded that the present dispute was not an industrial dispute so as to give jurisdiction to this Court to adjudicate upon it. On merits it was pleaded that there had been continuous complaints against Shri Parma Nand about his misbehaving with his co-employees and also with the travelling passengers. The management because of his being a share-holder of the company had been showing him indulgence and retaining him in service. It was pleaded that the claimant Shri Parma Nand did not improve his conduct and on 8th February, 1966 and 19th February, 1966 badly misbehaved towards and abused Sarvshri Hans Raj and Churanjit Singh conductors. The workmen of the respondent company *en block* represented to the management that Shri Parma Nand should be removed from service and, therefore, the management removed the claimant from their service.

On the pleadings of the parties, the following two issues were framed:—

1. Whether the present dispute is not an industrial dispute within the meaning of Industrial Disputes Act, 1947, on the ground alleged in the written statement of the respondents?
2. Whether the action of the management in terminating the services of Shri Parma Nand, Inspector, is justified and in order? If not, to what relief the workman is entitled?

Issue No. 1.—In view of my finding on Issue No. 2, it is unnecessary to record a finding on issue No. 1. I leave issue No. 1 undecided.

Issue No. 2.—The case was fixed for evidence of the parties for to-day. Neither the claimant himself nor any body else on behalf of the workmen is present before this Court to-day. At the last hearing on 17th November, 1966, when the case was adjourned for to-day, Shri Parma Nand claimant was present in person at the hearing. No representation has been received from the workmen or from the claimant for adjourning the proceedings to-day. I, therefore, proceed against the workmen under rule 22 of the Industrial Disputes (Punjab) Rules, 1958, as if the workmen had appeared and had been represented at to-day's hearing.

The *ex parte* evidence of the management has been recorded to-day. Ex. M/3 is a complaint, dated 10th February, 1966, made by Shri Huns Raj Conductor, against the claimant Shri Parma Nand, complaining against him for harling most undesirable abuses on the conductor. Ex. M/1 is a complaint, dated 19th February, 1966 made to the management by the workmen of the respondent company making serious allegations against Shri Parma Nand Inspector. Ex. M/2 is another complaint, dated 24th February, 1966 made by the workmen of the respondent company to the management making similar, allegations against the claimant Shri Parma Nand. Sarvshri Mohinder Singh, Inspector, of the respondent company and Shri Sada Nand, Accountant, of the concern have appeared as witnesses on behalf of the management in these proceedings and have proved the above complaints. From the *ex parte* evidence produced in the case it is clear that Shri Parma Nand claimant was not a fit person to be kept under the service of the company. He was taking undue advantage of his position as a share holder of the company and was abusing his powers as an Inspector of the company. Ex. M/4 is a notice given by the company to Shri Parma Nand claimant asking him to submit his explanation regarding the complaint of Shri Huns Raj. No explanation was ever submitted by him. The management have removed him from service because the other workmen of the company are fed up with his behaviour towards them and also towards the travelling public. The evidence also shows that on one occasion Shri Parma Nand, claimant, stole a purse of a passenger travelling in a bus and the matter had to be reported to the Police. It appears that the management to shield their shareholder hushed up the matter and did not take any action against the claimant on that occasion. From the evidence produced by the management it appears to me that they were forced to terminate the services of the claimant because of the pressure put on them by the other workmen of the company. This is true that no enquiry has been held by the management. But this question is immaterial when they have led all the relevant evidence in these proceedings. For the above reasons I am satisfied that the termination of services of Shri Parma Nand, Inspector, by the management of M/s Universal Victory Bus Service (P) Limited, Ambala City is justified and in order and the claimant is not entitled to any relief. As the claim put in by the claimant Shri Parma Nand was frivolous and vexatious, he is directed to pay a sum of Rs 25/- (Rupees Twenty-five only) to the management as costs of these proceedings.

This award is submitted to the Government of Haryana, Department of Labour as required under section 15 of the Industrial Disputes Act, 1947.

CAMP : AMBALA CANTT.
Dated the 23rd December, 1966.]

HANS RAJ GUPTA,

Presiding Officer,
Labour Court, Rohtak.

B. L. AHUJA,

Secretary to Government Haryana,
Labour and Employment Department.

REVENUE DEPARTMENT

The 29th December, 1966

No. Admn. V-66/2992.—The Governor of Haryana is pleased to appoint Shri Raghunath Rai Kapur Personal Assistant to the Financial Commissioner, Haryana, as Private Secretary to the Financial Commissioner Haryana, in P.E.S., Class II, in the grade of Rs 350—25—500/30—650, with effect from 5th December, 1966 after-noon).

The 3rd January, 1967

No. 669-E(III)-66/35.—In exercise of the powers conferred by sub-sections (1) and (2) of section 27 of the Punjab Land Revenue Act, 1887, the Governor of Haryana is pleased to confer upon Shri Tejwant Rai, Tehsildar, Municipal Committee, Ambala, the powers of an Assistant Collector, 1st Grade, for the purposes of making recoveries of the Municipal dues under the provisions of the Punjab Municipal Act, 1911, within the local limits of the Municipal Committee, Ambala.

SUKHDEV PRASAD,

Deputy Secretary to Government, Haryana,
Revenue Department.

AGRICULTURE DEPARTMENT

(FORESTS)

The 30th December, 1966

No. 1938-Agr-VII-66/2860.—Whereas certain areas mentioned in the schedule given below have been declared 2nd Class forests,—vide Pepsu Government Gazette No. 40, dated 4th January, 1953 and vide Indian Forest Act (Punjab Amendment Act No. 13 of 1962), notified as protected forests and whereas in pursuance of the Working Plan Prescriptions for various Working Circles, it is essential to protect the portions of these forests by natural and artificial re-generation.

Now, therefore, in exercise of the powers, conferred by clauses (b) and (c) of section 30 of the Indian Forest Act, 1927, and all other powers enabling him in this behalf, the Governor of Haryana is pleased to declare the portions of these forests as given in column No. 5 of the schedule below situated in Kharar Tehsil of Ambala District to be closed for the purpose of re-generation for a period of 15 years with effect from the date of issue of this notification. He is further pleased to declare that all the rights of villagers as provided in the forest Settlement of 1937 except the rights of way and water in or over the portions of the forests so closed shall

remain suspended for 15 years from the date of publication of this notification provided that the rights of villagers so suspended shall be exerciseable by them in the remainder of such forests :—

SCHEDULE

District	Tehsil	Name of forest	Total area of the forest (acres)	Area to be closed (acres)	Boundaries of the area to be closed	REMARKS
1	2	3	4	5	6	7
Ambala ..	Kharar ..	P/230, Bargodam I	211	70	East.—R/58, Bargodam West.—Private area of Banoi Anchlo North.—Remaning area of P/230, Bargodam South.—Private area of village Thankiser	Closed to all rights except right of way and water
Do	Do	P/227, Banoi III (Ram Singh)	39	13	East.—Bija State West.—Banoi Ram Singh North.—Bija State South.—Gabli Banoi Ram Singh	Ditto
Do	Do	P/234, Thadugarh (Khera Sita Ram)	43	15	East.—Remaining portion of P/234, Khera Sita Ram West.—R/60, Thadugarh North.—R/60, Thadugarh South.—Private area of Khera Sita Ram	Ditto
Do	Do	P/235, Bhawana ..	1912	C-3 (part) 290	East.—P/216, Khadin West.—Remaining portion of C-3 of P/235 North.—Private area of Plaowala South.—Private area of village Uperla Bhawana and Nolta	Ditto
Do	Do	Ditto	1912	C-4- 343	East.—C-2 of P/235, Bhawana West.—Kushaliya River North.—Nichla Village Bhawana South.—C-1 of P/235 Bhawana	Ditto
Do	Do	P/236, Janauli ..	138	46	East.—R/63, Top Banasar West.—Private area of village Khui North.—Private area of village Khui South.—Reserve Thal Banasar	Ditto
Do	Do	P/237, Ganeshpur Bhorian	98	33	East.—R/69, Birshikargah West.—Private area of Haripur Chhopher North.—R/69, Birshikargah South.—Remaining portion of P/237, Ganeshpur Bhorian	Ditto
Do	Do	P/239, Nala Dakrog	50	17	East.—Remaining area of P/239, Nala Dakrog West.—R/69, Bir North.—Private area of village Nala Dakrog South.—Private area of village Dumehar	Ditto
Do	Do	P/240, Nala Balog	9	3	East.—Private area of village Nala Balog West.—Remaining area of P/240, Nala Balog North.—Private area of village Nala Kalol South.—R/69, Bir	Ditto
Do	Do	P/241, Jabrot ..	48	16	East.—Private area of village Jabrot West.—Remaining area of P/240, Nala Balog North.—Private area of village Nala Bhog South.—Remaining portion of P/241, Jabrot	Ditto
Do	Do	P/242, Jabrot Tibi	77	26	East.—Private area of village Tibbi West.—Private area of village Tibbi North.—Private area of village Quendi South.—Private area of village Tibbi	Ditto
Do	Do	P/243, Berghati	51	17	East.—Private area of village Berghati West.—R/69, Bir North.—Remaining portion of P/243, Berghati South.—Private area of village Berghati	Ditto
Do	Do	P/244, Nandpur ..	110	37	East.—R/68, Barora West.—Private area of village Mallah & R/69, Bir North.—R. Private area of village Mallah South.—Private area of village Nandpur	Ditto

1	2	3	4	5	6	7
Ambala	Kharar	P/245, Diwanwala	46	15	East.—Private area of village Diwanwala West.—R/69, Bir North.—Remaining portion of P/24 South.—Private area of village Diwanki Gaon	Closed to all rights except right of way and water
Do	Do	P/246, Haripur (Hari Singh)	66	22	East.—Remaining portion of P/246 West.—Private area of village Jodhpur North.—R/69, Bir South.—Private area of village Haripur (Hari Singh)	Ditto

R. N. CHOPRA,

Commissioner, Agricultural Production and Rural Development and Secretary to Government, Haryana, Development and Panchayats Departments.

PLANNING DEPARTMENT

The 2nd January, 1967

No. 41-11 Pg-66/32.—The Governor of Haryana is pleased to order the following officiating promotions in the Economic and Statistical Organisation, Haryana, with effect from the dates noted against each :—

Serial No.	Name	From	To	With effect from
1.	Shri V. P. Sharma	Research Officer, Headquarters	Deputy Economic and Statistical Officer (Class II) in the scale of Rs 300—30—510/30—600—40—720/40—800/50—850	15th December, 1966 (afternoon)
2	Shri P. N. Kaul	Research Officer, Headquarters	Census Officer in the scale of Rs 250—25—750	15th December, 1966 (afternoon)

B. S. MANCHANDA,

Commissioner for Planning and Finance and Secretary to Government, Haryana, Planning and Finance Departments.

DEVELOPMENT AND AGRICULTURE DEPARTMENT

The 31st December, 1966

No. 798-Agr. I(I)-66/2951.—The Governor of Haryana is pleased to promote Shri Chatir Behari Lal, permanent Superintendent as Establishment Officer, in the grade of Rs 350—25—500/30—650, in an officiating capacity in the office of Director of Agriculture, Haryana, with effect from the 1st November 1966 (forenoon) subject to the approval of Haryana Public Service Commission.

VINEET NAYYAR,

Deputy Secretary to Government, Haryana, Development and Agriculture Department,

The 31st December, 1966

No. 946-Agr. IX(II)-66/2987.—In exercise of the powers conferred by Section 36 of the Punjab Agricultural Produce Markets Act, 1961 and all other powers enabling him in this behalf, the Governor of Haryana is pleased to appoint Shri Risal Singh, son of Shri Bir Singh, village Garhi, post office, Padla, tehsil Kaithal district Karnal, as a member of the Market Committee, Kaithal, authorised to carry out the functions of the said committee, in the vacancy caused by the death of Shri Mehar Singh.

R. N. CHOPRA,

Commissioner, Agricultural Production and Rural Development and Secretary to Government, Haryana, Agriculture Department.